

REMARKS

In the Official Action, the Examiner rejected claims 1 and 9-10 under 35 U.S.C. §103(a) over Kawauchi et al., published European Patent Application No. 1 275 498. In addition, the Examiner rejected claims 1-16 under 35 U.S.C. §103(a) over Nagase, U.S. Patent Application Publication No. 2004/0002019.

By the present Amendment, the subject matter of claim 2 has been incorporated into claim 1 thereby rendering moot the rejection based on Kawauchi et al. With respect to the rejection based on Nagase, applicant hereby states that that the instant application and U.S. Patent Application Publication No. 2004/0002019 were, at the time the invention was made, owned by or subject to an obligation of assignment to the same entity, namely Fuji Photo Film Co., Ltd. Accordingly, pursuant to the provisions of 35 U.S.C. §103(c) and the guidelines provided in MPEP §706.02(I)(2), the foregoing statement establishes common ownership and therefore the rejection based on Nagase (which is only available as "prior art" under 35 U.S.C. §102(e) as noted by the Examiner in the Official Action), should be withdrawn.

Since all matters raised in the Official Action have been met by the present Amendment, applicants respectfully request reconsideration and allowance of the instant application.

Should the Examiner have any questions concerning the application, the Examiner is invited to contact the undersigned attorney at the number provided below.

Respectfully submitted,

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